

Assembly Bill No. 888

Passed the Assembly September 12, 2007

Chief Clerk of the Assembly

Passed the Senate September 11, 2007

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2007, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to add Part 4.5 (commencing with Section 71350) to Division 34 of the Public Resources Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 888, Lieu. Green building standards.

Existing law sets forth various requirements for energy and design efficiency in the construction of nonresidential buildings. Existing law authorizes state agencies to submit, and requires the Building Standards Commission to receive and review, proposed building standards for adoption, approval, publication, and codification.

This bill would require new commercial buildings for which a public agency deems the application for a development project complete on or after January 1, 2013, and that are 50,000 square feet or greater, be designed, constructed, and operated, to meet the applicable standards described in the United States Green Building Council's Leadership in Energy and Environmental Design gold rating or its equivalent, unless the state adopts specified minimum green building standards, in which case, those commercial buildings would be required to meet the adopted standards.

The people of the State of California do enact as follows:

SECTION 1. Part 4.5 (commencing with Section 71350) is added to Division 34 of the Public Resources Code, to read:

PART 4.5. GREEN BUILDING STANDARDS FOR
NONRESIDENTIAL BUILDINGS

71350. The Legislature finds and declares all of the following:

- (a) Buildings account for nearly 40 percent of the carbon dioxide emissions in the United States, more than any other sector.
- (b) Transforming the building environment to be more energy efficient and climate friendly is a vital tool in the fight against global warming and toward reducing dependence on foreign oil.

(c) A United Nations' study showed that better architecture and energy savings in buildings could do more to fight global warming than all the curbs on greenhouse gases agreed to under the United Nations' Kyoto Protocol.

(d) The state is committed to providing leadership on energy, environmental, and public health issues by implementing innovative and resource-efficient building design practices and other programs that improve the lives of the state's 34.5 million residents.

(e) The widespread adoption of green building principles would result in significant long-term benefits to the state's environment, including reduction in the demand for energy, water, and wastestream services, and the fiscal and environmental impacts resulting from the expansion of these infrastructures.

(f) Green buildings enhance indoor air quality, incorporate environmentally preferable products, and protect the building occupants' health.

71351. For the purposes of this part, the following terms mean the following:

(a) "Commercial building" means a building or structure that is in occupancy Group B as specified in Section 304 of Part 2 of Title 24 of the California Code of Regulations. Commercial building does not include an eating establishment.

(b) "LEED gold rating" means the United States Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) gold rating for new construction and major renovation.

(c) "Minimum green building standards" means green building standards for commercial buildings that meet, at a minimum, the LEED gold rating or equivalent, and include, but are not limited to, all of the following:

- (1) Sustainability of the site.
- (2) Water efficiency.
- (3) Energy and atmosphere.
- (4) Materials and resources and sustainable wood.
- (5) Indoor environmental quality.
- (6) Innovation and design process.
- (7) Nonmotorized transportation.

(8) A method for determining life-cycle cost, including evaluating the relative effectiveness, cost, and life-cycle savings,

if any, by the use of individual or multiple green building measures specified in this part.

71352. (a) (1) Except as provided in paragraph (2), a new commercial building for which a public agency, on or after January 1, 2013, deems the application complete pursuant to Section 65943 of the Government Code, and that is 50,000 square feet or greater, shall be designed, constructed, and operated to meet the applicable standards described in the LEED gold rating or its equivalent.

(2) (A) If the state adopts minimum green building standards, a new commercial building for which a public agency on or after January 1, 2013, deems the application complete pursuant to Section 65943 of the Government Code, and that is 50,000 square feet or greater shall meet those adopted standards.

(B) In considering the minimum green building standards, the state may consider existing relevant guidelines including, but not limited to, the Green Building Initiative's "Green Globes" rating system.

(b) For the purposes of determining compliance with the LEED gold rating or its equivalent, with respect to materials and resources and sustainable wood, a project that uses wood products with a credible third party sustainable forest certification, as determined by the California Environmental Protection Agency, shall be deemed to be in compliance.

(c) This section shall not prohibit, limit, or supersede other green building standards developed pursuant to existing authority.

Approved _____, 2007

Governor